

EV 977728228 US

December 26, 2006

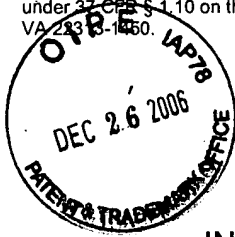
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By: \_\_\_\_\_

Nancy Foster



PATENT

Customer No. 22,852

Attorney Docket No. 04121.0116-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Holly H. HOGREFE et al.

) Group Art Unit: 1652

Application No.: 08/957,709

) Examiner: D. Ramirez

Filed: October 24, 1997

For: POLYMERASE ENHANCING  
FACTOR (PEF) EXTRACTS, PEF  
PROTEIN COMPLEXES,  
ISOLATED PEF PROTEINS, AND  
METHODS FOR PURIFYING AND  
IDENTIFYING THEM

) Confirmation No. 2438

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE**  
**STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the enclosed IDS Form PTO/SB/08. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Office Action, a Notice of Allowance, or an action that otherwise closes prosecution. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

A copy of the listed document is enclosed.

Applicants respectfully request that the Examiner consider the listed document and evidence that consideration by making appropriate notations on the enclosed form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitute "prior art." If the Examiner applies the document as prior art against any claim in the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed document, should it be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

*Elizabeth Bowe*  
Reg. No. 46,797 for

Dated: December 26, 2006

By: \_\_\_\_\_  
Michael R. Albrecht  
Reg. No. 54,956  
Customer No. 22,852

**CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"**

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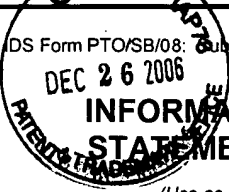
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By:  Nancy Foster

<div style="text-align: center;">  <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p><small>(Use as many sheets as necessary)</small></p> </div>				<b>Complete if Known</b>	
				Application Number	08/957,709
		Filing Date	October 24, 1997		
		First Named Inventor	Holly H. HOGREFE et al.		
		Art Unit	1652		
		Examiner Name	D. Ramirez		
		Attorney Docket Number	04121.0116-01000		
Sheet	1	of	1		

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		Amendment and Response dated October 27, 2006, in U.S. Patent Application No. 09/631,613, filed August 4, 2000.	

Examiner Signature		Date Considered	
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.